IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

RP.No. 413 of 2007()

AGAINST THE JUDGEMENT/ORDER IN CRP.807/2005 Dated 04/10/2006
OS.163/1989 of MUNSIFF COURT, ETTUMANOOR
(EP. 94 /2002)
.....

REVIEW PETITIONER/REVISION PETITIONER:

M.J.SIMON, RETIRED TEACHER, RESIDING AT VELLAPPALLIL FROM MARAMANAGALATH, MANNANAM KARA, ATHIRAMPUZHA VILLAGE, KOTTAYAM.

BY ADV. SRI.RAJEEV V.KURUP

RESPONDENT: RESPONDENT:

ATHIRAMPUZHA SPECIAL GRADE PANCHAYATH, REPRESENTED BY ITS EXECUTIVE OFFICER.

BY ADV. SRI.RAJESH THOMAS,
SC FOR ATHIRAMPUZHA PANCHAYATH

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J

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R.P.No.413 of 2007 in C.R.P. No.807 OF 2005

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Dated this the 22nd day of August 2007

O R D E R

The decree holder is the review petitioner. He obtained a decree and moved the court against the respondent Panchayat for violation of the decree of the court. The executing court found that no violation has been done at the instance of the Panchayat and the Panchayat has nothing to do it and dismissed the petition. The decree holder preferred a revision before this court. After hearing both sides, this court recorded the fact that the Panchayat will have no objection in the decree holder putting slabs to meet his requirements so as to enter into the property, but on condition that it should be done only after informing the Panchayat and under their supervision. It is this part of the order that is sought to be reviewed. It is very clear from the reading of the order that what the court intended was that the decree holder is permitted to put the slabs so as to have ingress and egress of the property, but with a condition that it must be done after informing the Panchayat. The supervision only has to be understood under that context and therefore, I make it clear that the decree holder is entitled to

put the slabs across the property for his ingress and egress after informing the Panchayat and if they want their presence to be there, it also should be permitted. But the Panchayat shall not object in putting the slabs across the property.

Review petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-